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Letter dated 8 January 2001 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

I have the honour, on instructions from my Government, to forward to Your Excellency a copy of the letter dated 8 January 2001 from H.E. President Isaias Afwerki addressed to Secretary-General Kofi Annan (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Haile **Menkerios**
Ambassador
Permanent Representative

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Annex to the letter dated 8 January 2001 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

I am writing to you to express my Government's indignation at Ethiopia's preposterous allegation (letter of the Prime Minister of 4 January (S/2001/11, annex)) accusing Eritrea of "wanting to renegotiate the Agreement on Cessation of Hostilities" that both countries signed in Algiers on 18 June last year.

Let me reiterate from the outset — and the track record is clear — that Eritrea remains fully committed to the scrupulous implementation of all the agreements that it has signed. As I underlined during the signing ceremony of the Peace Agreement on 12 December 2000, Eritrea is indeed prepared to forget the past and look to a future of peace that will rekindle the hope of neighbourly cooperation and coexistence between the two countries on the basis of mutual respect of each other's sovereignty and territorial integrity.

It is true that the Military Coordination Commission did not reach an agreement on the establishment of the temporary security zone during its meeting in Nairobi on 28 December. But responsibility for this unnecessary obstruction rests squarely on Ethiopia.

Under the Cessation of Hostilities Agreement, Ethiopia is required to submit to the United Nations Mission in Ethiopia and Eritrea (UNMEE) a redeployment plan of its troops to positions held before 6 May 1998. Paragraph 10 of the Agreement makes it clear that this is a temporary arrangement which "will not prejudge the final status of the contested areas, which shall be determined at the end of the delimitation and demarcation of the border".

But these provisions, temporary as they are, do not give Ethiopia carte blanche to draw an arbitrary line. Ethiopia is expected, and indeed required, to act in good faith and submit a redeployment plan that reflects the positions it held as well as the positions that Eritrea held before 6 May 1998.

It is unfortunate that the redeployment proposal that Ethiopia submitted at the Military Coordination Commission meeting in Nairobi contained manifest and demonstrable misrepresentations of positions on the ground. Ethiopia has in fact demanded, in its redeployment plan, that it be allowed to militarily occupy sovereign Eritrean territories in which Ethiopia had never so much as set foot. In the event, Eritrea had no choice but to object to Ethiopia's redeployment plan as it constituted a violation of the Agreement on Cessation of Hostilities in addition to its grave humanitarian implications for the return of hundreds of thousands of Eritreans displaced by the war. Yet Eritrea opted for a constructive stance of redressing the issue through the good offices of your Special Representative, while Ethiopia has resorted to provocative statements and threats.

Eritrea views Ethiopia's provocative statements, particularly its threat to indefinitely delay the redeployment of its forces from occupied Eritrean territories, as a clear violation of the Agreement on Cessation of Hostilities. Ethiopia must be made to realize that its unwarranted position would entail consequences in accordance with paragraph 14 of the Agreement, which provides for "measures to be taken by the international community should one or both of the Parties violate this

commitment, including appropriate measures to be taken under Chapter VII of the Charter of the United Nations by the United Nations Security Council".

The humanitarian implications of Ethiopia's demands cannot be underestimated. Ethiopia's request to occupy territories in which it did not have any presence before the outbreak of the conflict would mean denying the right of return to hundreds of thousands of internally displaced Eritreans.

In this respect, Ethiopia is already guilty of a gross violation of the Cessation of Hostilities Agreement as well as the 1949 Geneva Conventions by its behaviour in the occupied territories, which continues to escalate by the day, even after the signature of the comprehensive Peace Agreement of 12 December 2000. Ethiopia has, in recent weeks, carried out senseless looting, burning and destruction of whole villages in the occupied territories. Eritrea has duly brought these gross violations to the attention of the office of your Special Representative.

(*Signed*) Isaias **Afwerki**
President
The State of Eritrea